

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DENISE HILLS, )  
 )  
Plaintiff ) No. 12cv30065-MAP  
 )  
V. )  
 )  
UNITED STATES OF AMERICA, )  
 )  
Defendant. )  
\_\_\_\_\_ )

**DEFENDANT'S MOTION TO DISMISS**

The United States of America, by its attorney, Carmen M. Ortiz, United States Attorney for the District of Massachusetts, moves to dismiss the complaint for a lack of subject matter jurisdiction due to the plaintiff's failure to file the required administrative tort claim. The defendant has submitted a memorandum of law in support of this motion.

The undersigned certifies that she conferred with the pro se plaintiff this date but was unable to resolve the issues.

WHEREFORE, the defendant respectfully requests that the court dismiss the complaint.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

By: /s/Karen L. Goodwin  
Karen L. Goodwin  
Assistant U.S. Attorney  
1550 Main Street  
Springfield, MA 01103  
413-785-0235

Dated: May 1, 2012

*ALLOWED, without prejudice to re-filing following  
action on Plaintiff's claim by the appropriate  
federal agency. So ordered.  
Michael G. Poulos UST 5-16-12*